

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION**

WASHINGTON MCCASKILL

PLAINTIFF

VERSUS

CIVIL ACTION NO. 3:10-cv-00655-HTW-LRA

**PIKE COUNTY SHERIFF'S DEPARTMENT,
SHERIFF MARK SHEPARD, LT. REAGAN,
PIKE COUNTY, MISSISSIPPI AND
CAPTAIN GREEN**

DEFENDANTS

ANSWER AND AFFIRMATIVE DEFENSES

COME NOW the Defendants, Pike County Sheriff's Department, Sheriff Mark Shepard, Lt. Reagan, Pike County, Mississippi and Captain Green (hereinafter "Defendants"), and for their Answer, they would show as follows:

1. Because the paragraphs of the complaint are not numbered, as required by Federal Rule of Civil Procedure 10(b), Defendants generally deny all allegations of wrongdoing contained in the Complaint.
2. Defendants deny that "Pike County makes up their rules as they come along, which are spur of the moment rules." Defendants would affirmatively show that Defendants have fully complied with all legal requirements regarding departmental policy and rules.
3. Defendants deny that the plaintiff has filed any grievances which have gone unanswered or unresolved.
4. Defendants deny that medical and dental care are unprofessional or incompetent, and all other related allegations. Defendants would affirmatively show that competent and appropriate medical and dental care have been provided to plaintiff.

5. Defendants deny that the dormitory is hazardous, and would affirmatively show that housing afforded plaintiff is adequate and appropriate.
6. Defendants deny that conditions are cruel and unusual and all other related allegations.
7. Defendants deny that plaintiff has been denied access to appropriate "leisure time", and deny all related allegations contained in the complaint.
8. Defendant denies knowledge of any information regarding whether plaintiff was entitled to bond, whether plaintiff was provided adequate assistance of counsel or whether plaintiff is entitled to a preliminary hearing.
9. Defendants deny that plaintiff has been denied any access to which he is entitled to administrators, notary publics, legal research facilities or any other access to which he is entitled.
10. Defendants deny that inadequate or inappropriate meals have been served to the plaintiff.
11. Defendants deny that plaintiff has been subjected to retaliation for any complaints or grievances plaintiff has aired.
12. Defendants deny that plaintiff has been denied due process of law.

RELIEF SOUGHT

13. Defendants deny that plaintiff is entitled to any relief whatsoever.
14. Defendants deny that plaintiff is entitled to preliminary or permanent injunctive relief sought.
15. Defendants deny that plaintiff is entitled to compensatory damages sought.
16. Defendants deny that plaintiff is entitled to punitive damages sought.

17. Defendants deny that plaintiff is entitled to recover costs.
18. Defendants deny that plaintiff is entitled to any additional relief.

AFFIRMATIVE DEFENSES

1.

Plaintiff fails to state a claim or cause of action upon which relief can be granted.

2.

Defendants reserve the right to assert further affirmative defenses, if necessary, at a later date.

Having answered, and fully denying that the Plaintiff is entitled to any relief whatever from Defendants, the Defendants ask that the Complaint be dismissed.

Respectfully Submitted,

PIKE COUNTY, ET AL,
DEFENDANTS

BY: WAYNE DOWDY, ATTORNEY AT LAW

s/Wayne Dowdy
OF COUNSEL

WAYNE DOWDY, MSB # 6177
DOWDY & COCKERHAM
ATTORNEYS AT LAW
215 East Bay Street
P.O. Box 30
Magnolia, MS 39652
(601) 783-6600

CERTIFICATE OF SERVICE

I, Wayne Dowdy, do hereby certify that I have this day mailed by United States mail,

postage prepaid, a true and correct copy of the Answer to the following:

Washington McCaskill
P.C.D.C., B-Zone
2109 Jessie Hall Road
Magnolia, MS 39652

This the 13th day of January, 2010.

s/Wayne Dowdy
WAYNE DOWDY